

REMARKS

Claim 1 has been amended. Claims 1-8 and 9-15 are currently pending in the application.

On page 2 of the Office Action, claims 1 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. JP 01-007669 (Ariga).

Ariga is directed to a gas laser oscillator. Applicants respectfully submit that not only is the gas laser oscillator in a different field than that of the present invention, the purpose of Ariga is different from that of the present invention. In contrast to Ariga, for example, one of the purposes of at least one embodiment of the present invention is to excite a laser medium gas uniformly and to obtain laser beams at a stable mode. The laser beams are obtained by forming a contact surface with an electrode on a cross section, vertical to the direction of the laser induction of a discharge tube to a recessed shape, in the relationship of a distance with an internal surface corresponding to the contact surface.

In at least one embodiment of the present invention, an electrode (11) is placed inside of a recess portion (10a) formed on an external surface of a tubular body. As a result, positional shift does not occur between the electrode placed in the recess portion and the tubular body. See specification of the present invention, page 10, lines 4-8. See *also* FIG. 3 and FIG. 4

Applicants respectfully submit that independent claim 1 is patentable over Ariga, as Ariga fails to disclose, "at least one electrode among said plurality of electrodes is placed inside of said recess portion," as recited in currently amended independent claim 1.

Ariga clearly states that a pair of electrodes 21a and 22a are oppositely disposed stuck *fast to the tube surface* of the discharge tube 20a. See Ariga, Abstract. See *also* Ariga, Figure 5. Therefore, in contrast to the present invention, the electrodes in Ariga are clearly located *outside* of the recess portion, as shown in Figure 7, for example.

Moreover, on pages 2-3 of the Office Action, the Examiner clearly states:

The following is a statement of reasons for the indication of allowable subject matter: Prior art *fails* to disclose or fairly suggest: . . . a recess portion is formed on an external surface of the tubular bodies with a *first electrode placed in the recess portion* . . .

See Office Action, page 3, last bullet item, [emphasis added]. Therefore, the Examiner acknowledged that Ariga does not disclose or suggest the above-identified feature of the present invention.

In light of the foregoing, Applicants respectfully submit that independent claim 1 is patentable over Ariga. As dependent claim 5 depends from independent claim 1, Applicants respectfully submit that dependent claim 5 is patentable over Ariga for at least the reason presented above for independent claim 1.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3-13-06

By: 

Reginald D. Lucas
Registration No. 46,883

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501